

IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA

In re:	MIGDALIA ESPINET	:	Chapter 13
	Debtor,	:	
		:	
	MIGDALIA ESPINET	:	Case No. 5:19-bk-2874
		:	
	Objector,	:	
	v.	:	
		:	
	LVNV Funding, LLC,	:	
	Claimant,	:	

OBJECTION TO PROOF OF CLAIM NO. 9 OF LVNV Funding, LLC

AND NOW COMES Debtor Migdalia Espinet, and brings Objection to Proof of Claim No. 9 of LVNV Funding, LLC, and in support thereof states:

1. Claimant LVNV Funding, LLC filed Proof of Claim No. 9 on September 5, 2019.
2. Claimant alleges that it purchased the account of debtor yet only provides a series of generic bulk sales affidavits none of which specifically identifies Debtor or Debtor's account.
3. There is also a limited power of attorney which seems to try to transfer the claim as well to Resurgent Capital Services obscuring whom the true creditor may be.
4. LVNV Funding, LLC, has not established itself to be a holder in due course nor to possess any right to collect the instant account.
5. As such claimant fails to qualify as a creditor under 11 USC 101.
6. Debtor seeks a determination that Proof of Claim No. 9 be disallowed in its entirety.

WHEREFORE, Debtor Migdalia Espinet prays that the Proof of Claim # 9 of LVNV Funding, LLC be disallowed in its entirety, and for such other and further relief as the Honorable Court deems just and appropriate.

Respectfully submitted,

s/ Mark E. Moulton
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